

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WARREN ALSTON,
Petitioner,

v.

COMMONWEALTH OF
PENNSYLVANIA, et al.,
Respondents.

ENT'D:

JAN 02 2019

CIVIL ACTION

NO. 17-444

ORDER

AND NOW, this 2nd day of JANUARY, 2019, upon careful and independent consideration of the petition for a writ of habeas corpus, the responsive motion, and available state court records, and after review of the Report and Recommendation of United States Magistrate Judge David R. Strawbridge, it is ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
3. The petition for a writ of habeas corpus is DENIED;
4. A certificate of appealability SHALL NOT issue, in that the Petitioner has not made a substantial showing of the denial of a constitutional right. *See* 28 U.S.C. § 2253(c)(2); *Slack v. McDaniel*, 529 U.S. 473, 484 (2000); and
5. The Clerk of the Court shall mark this case CLOSED for statistical purposes.

BY THE COURT:


JOEL H. SLOMSKY, J.

ENT'D JAN 02 2019